

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

GILDA Y. SIZOR

PLAINTIFF

v.

CAUSE NO. 1:15MC425-LG-RHW

**STANDARD MORTGAGE CORPORATION;
INDYMAC BANK, F.S.B; and ONEWEST BANK**

DEFENDANTS

ORDER DISMISSING CASE WITHOUT PREJUDICE

THIS MATTER IS BEFORE THE COURT sua sponte. The plaintiff Gilda Y. Sizer initiated this lawsuit by filing an Affidavit of Fraud and False Statements [1]. She asked the Clerk of Court to file her affidavit as a miscellaneous filing, and she submitted a filing fee of \$46.00. The Court has reviewed Sizer's Affidavit, and it appears that she is seeking relief pursuant to 26 U.S.C. § 7206, which provides criminal penalties for fraud and false statements.¹

This Court does not have authority to initiate criminal prosecutions. That authority is vested with the Executive Branch of the United States Government. Therefore, if Sizer wishes for criminal charges to be filed against the defendants, she should contact the U.S. Department of Justice or the Office of the United States Attorney for the Southern District of Mississippi.

However, if Sizer is seeking monetary damages or injunctive relief she must (1) file a complaint and (2) either pay the civil filing fee of \$400.00 or file a motion for permission to proceed in forma pauperis.

Since this Court cannot award the relief that is requested in Sizer's Affidavit,

¹ Sizer actually cited 26 U.S.C. 7296, but no such statute exists.

this case is dismissed without prejudice.

IT IS, THEREFORE, ORDERED AND ADJUDGED that this case is
DISMISSED WITHOUT PREJUDICE.

IT IS, FURTHER, ORDERED AND ADJUDGED that all pending motions
are **MOOT.**

SO ORDERED AND ADJUDGED this the 6th day of June, 2016.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE